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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**MAY 07 2019**

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN RIVERA  
(a/k/a "Juan Rivera Cruz," "Juan Cruz  
Rivera," "Manuel Rivera," and  
"Camarón"),

Defendant.

**2:19-CR-87-RMP**

**INDICTMENT**

Vio: 18 U.S.C. § 2251(a), (e)  
Conspiracy to Produce Child  
Pornography (Count 1)

18 U.S.C. § 2252A(a)(2)(A), (b)(1)  
Receipt of Child Pornography  
(Count 2)

18 U.S.C. § 2252A(a)(5)(B), (b)(2)  
Possession of Child Pornography  
(Count 3)

8 U.S.C. § 1326  
Alien in the United States After  
Deportation  
(Count 4)

18 U.S.C. § 2253  
Forfeiture Allegations

1 The Grand Jury charges:

3 COUNT 1

4 Between on or about May 18, 2017, and on or about June 1, 2017, in the  
5 Eastern District of Washington and elsewhere, the Defendant, JUAN RIVERA  
6 (a/k/a “Juan Rivera Cruz,” “Juan Cruz Rivera,” “Manuel Rivera,” and “Camarón”),  
7 knowingly and willfully conspired and agreed with Maria Balbina Valdovinos-  
8 Mendoza to employ, use, persuade, induce, entice, and coerce Minor Victim 1, a  
9 minor girl who was 11 years of age, to engage in sexually explicit conduct for the  
10 purpose of producing a visual depiction of such conduct, knowing and having  
11 reason to know that such visual depiction would be transmitted using any means  
12 and facility of interstate commerce, namely the Internet, and such visual depiction  
13 was produced using materials that had been mailed, shipped, and transported in  
14 and affecting interstate and foreign commerce by any means, including by  
15 computer, all in violation of 18 U.S.C. § 2251(a), (e).

18 COUNT 2

19 On or about June 3, 2017, in the Eastern District of Washington, the  
20 Defendant, JUAN RIVERA (a/k/a “Juan Rivera Cruz,” “Juan Cruz Rivera,”  
21 “Manuel Rivera,” and “Camarón”) did knowingly receive child pornography, as  
22 defined in 18 U.S.C. § 2256(8)(A), using a means and facility of interstate and  
23 foreign commerce, namely, the Internet, that had been mailed, shipped and  
24 transported in interstate commerce by any means, including by computer, to wit:  
25 visual depictions of Minor Victim 1, a minor girl who was 11 years of age,  
26 engaging in sexually explicit conduct, including the lascivious exhibition of her  
27 genitals and pubic area, in violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

## COUNT 3

On or about December 17, 2018, in the Eastern District of Washington, the Defendant, JUAN RIVERA (a/k/a “Juan Rivera Cruz,” “Juan Cruz Rivera,” “Manuel Rivera,” and “Camarón”) did knowingly possess material which contained one or more visual depictions of child pornography, as defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of a minor engaging in sexually explicit conduct, and which visual depictions were of such conduct; that had been mailed, shipped and transported in interstate and foreign commerce, and which was produced using materials which had been mailed, shipped, or transported in interstate or foreign commerce, by any means including computer, to wit: visual depictions of Minor Victim 1, a minor girl who was 11 years of age, engaging in sexually explicit conduct, including the lascivious exhibition of her genitals and pubic area, all in violation of 18 U.S.C. § 2252A(a)(5)(B), (b)(2).

## COUNT 4

On or about December 17, 2018, the Defendant, JUAN RIVERA (a/k/a “Juan Rivera Cruz,” “Juan Cruz Rivera,” “Manuel Rivera,” and “Camarón”), a citizen and national of Mexico, who had theretofore been denied admission, excluded, deported, and removed from the United States on or about November 21, 2009, at San Ysidro, California, was found in the United States, in the Eastern District of Washington, and he then did not have the express consent of the Attorney General, or the Attorney General’s successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 101, 202(3) & (4), 402 and 557), to reapply for admission into the United States, all in violation of 8 U.S.C. § 1326.

## NOTICE OF FORFEITURE ALLEGATIONS

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C § 2251(a), (e), 18 U.S.C § 2252A(a)(2), (b)(1), or 18 U.S.C. § 2252A(a)(5)(B), (b)(2), as charged in Counts 1 - 3 of this Indictment, the Defendant, JUAN RIVERA (a/k/a “Juan Rivera Cruz,” “Juan Cruz Rivera,” “Manuel Rivera,” and “Camarón”), shall forfeit to the United States of America any visual depiction described in sections 2251, 2251A, 2252, 2252A, 2252B, or 2260 of that chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and, any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, or any property traceable to such property. The property to be forfeited includes, but is not limited to:

- iPhone A1661 579C-E3087A;
- Samsung cell phone, SM-G900A in burgundy case, S/N: RF8G90WVZ8E;
- Toshiba laptop, S/N: 5C067961Q; and
- an SD card.

If any of the property described above, as a result of any act or omission of the Defendant:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

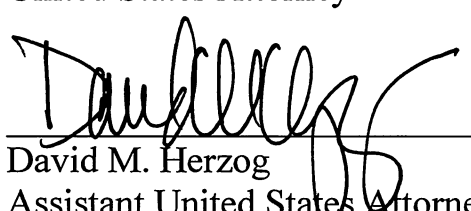
1 e. has been commingled with other property which cannot be  
2 divided without difficulty,  
3 the United States of America shall be entitled to forfeiture of substitute property  
4 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).  
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6 DATED this 7 day of May, 2019.  
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11 Foreperson  
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14 Joseph H. Harrington  
15 United States Attorney

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17 David M. Herzog  
18 Assistant United States Attorney  
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